

REMARKS

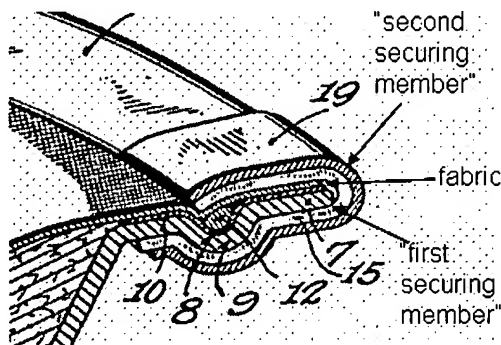
Claims 1, 14, 31, and 32 have been amended and claim 39 has been added.

Rejections Under 35 U.S.C. § 112

Claims 2-4 and 8-10 stand rejected as indefinite. Applicants respectfully disagree. Claims 2 and 8 are each dependent from claim 1. The MPEP notes that "a dependent claim is directed to a combination including everything recited in the base claim and what is recited in the dependent claim. It is this combination that must be compared with the prior art, *exactly as if it were presented as one independent claim.*" (MPEP 608.01(n) (emphasis added)). Thus, the term "third channel" in claims 2 and 8 is to be evaluated independently for each claim, as if each claim were an independent claim.

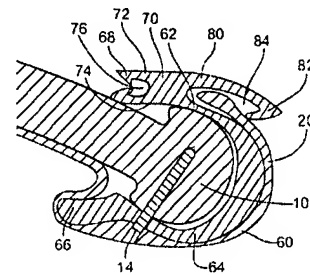
Rejections Under 35 U.S.C. § 102

Claims 1-4, 8-12, 14-22, and 24-33 stand rejected under 35 USC 102(b) as anticipated by Bloomberg (U.S. Patent 2,347,538). Applicants respectfully disagree. Claim 1 has been amended to clearly show that the fabric piece is secured *between* the first arm of the first securing member and the first arm of the second securing member, and directly contacts the second securing member. As shown below, the apparatus in Bloomberg positions what the Examiner describes as a first securing member *around* the fabric, so that the fabric is not *between* the first and second securing members, but rather between



the base element and the first securing member. Claim 1 also requires that “an entirety of the first securing member is disposed within the second channel.” What the Examiner describes as a “second securing member,” element 19, is merely a clip over the butt joint, and thus the *entirety* of the first securing member is not disposed within the second channel. Thus, claim 1 and dependent claims 2-13 are not anticipated.

Claim 14 has been amended so that the fabric piece is disposed around an outer surface of the securing member and within the second channel. An embodiment showing these claim elements is shown in Fig. 13 (at right). The attachment mechanism shown by Bloomberg disposes the fabric within the interior surface of a securing member, not on the outer surface of a securing member. Furthermore, claim 14 requires *two* channels, with the edge portion disposed in the first channel, and the fabric piece disposed in a second channel. Bloomberg does not show a second channel with a fabric piece disposed in the second channel. Thus, claim 14 is not anticipated by Bloomberg.



Claim 20 requires that the piece of fabric is attached to the outer surface of the securing member. The element 17 shown by Bloomberg is disposed around the fabric, as opposed to the fabric being disposed around the element. Therefore, claim 20 and dependent claims 21-29 are not anticipated by Bloomberg and Applicants request that the rejection be withdrawn.

Claim 31 has been amended to include that the securing member comprises an inner layer made of a thermoplastic material and an outer layer made of a thermoplastic elastomer material. As the Examiner noted for claim 23, no prior art reference shows a securing member with an inner layer made of a thermoplastic material and an outer layer made of a thermoplastic elastomer material. Therefore, claim 31 is not anticipated, and Applicants request that the rejection be withdrawn.

Claim 32 has been amended to show that the second securing member is adapted to fit around an entirety of the first securing member and to secure a piece of fabric between the first securing member and the second securing member. As previously described for claim 1, Bloomberg positions the first securing member *around* the fabric, so that the fabric is not *between* the first and second securing members, and the *entirety* of the second securing member is not adapted to fit around the first securing member. Therefore, claim 32 and dependent claim 33 are not anticipated by Bloomberg and Applicants request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 5-7 stand rejected as obvious over Bloomberg in view of Crosby. Claim 13 stands rejected as obvious over Bloomberg in view of Wyon. For the same reasons described above for claim 1, dependent claims 5-7 and 13 are not obvious. Further, Crosby and Wyon do not supply any of the deficiencies of Bloomberg. Applicants request that the rejections be with withdrawn.

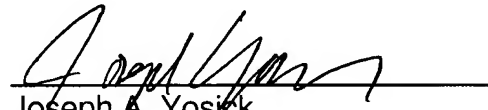
Claims 34-38 stand rejected as obvious over Bloomberg. Claims 34 and 37 require that the fabric is disposed *around* the first securing member, and the fabric is secured between the first securing member and the second securing member. As previously described for claim 1, Bloomberg shows a securing member disposed around the fabric, not the fabric around the securing member, and does not teach a fabric piece secured between the first securing member and the second securing member. Furthermore, as described in the present application, the fabric can first be secured to the first securing member before the first securing member is attached to the base member. (¶41) Thus, a multitude of fabric pieces with the securing member attached may be pre-assembled, and then easily attached to a base member, such as a chair back. In contrast, Bloomberg requires that the fabric piece first be cemented directly to the seat edge itself, (page 1, col. 2, lines 36-43), thus introducing additional steps upon the chair back and slowing the manufacturing process. Therefore, claims 34 and 37, and dependent claims 36 and 38, are not obvious.

For all of the above reasons, Applicant respectfully requests that the rejections of claims 1-38 be withdrawn.

SUMMARY

If the Examiner has any remaining issues, he is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph A. Yosick", is written over a horizontal line.

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